

REMARKS

Claims 1-43 are pending in this application including independent claims 1, 12, 25, 36, and 40. Claims 1-12, 14-23, 36, 39, and 40 have been amended in order to advance prosecution. Support for the foregoing amendments to the claims can be found in the specification and accompanying drawings as originally filed. No new matter has been added. Favorable reconsideration and allowance of the pending claims are requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number (USPN) 6,496,809 to Nakfoor (“Nakfoor”) in view of WO 00/46728 to Creasy et al. (“Creasy”). Applicants respectfully traverse this rejection.

The Office Action continues to rely on portions of Nakfoor related to an electronic ticketing system and portions of Creasy related a user interface that allows a user to select a shipping service.

Claims 1-24

While Applicants disagree with the grounds of rejection set forth in the Office Action, independent claims 1 and 12 have been further amended in order to advance prosecution.

For example, amended independent claim 1 recites receiving information from a remote seller, the information from said remote seller providing a description of said one or more goods, a price of said one or more goods, and a geographic location of said one or more goods; obtaining from the description of said one or more goods provided by said remote seller an expiration time associated with said one or more goods and a point of last delivery; receiving information from a remote buyer, the information from said remote buyer providing a purchase request, a method of payment, and a geographic location of the buyer; and providing financial logistics and shipping logistics for completing said sale of said one or more goods without requiring interaction between said remote buyer and said remote seller.

Amended independent claim 1 further recites wherein said shipping logistics include automated variation of shipping options that permit said one or more goods to reach said remote buyer from the geographic location of said one or more goods prior to the expiration time and that are presented by said system to said remote buyer as a function of a the expiration time associated with said one or more goods and a geography-based consideration determined by said system from the geographic location of said one or more goods received from said remote seller, the geographic location of said remote buyer received from said remote buyer, and the point of last delivery.

Amended independent claim 12 recites a first portion that receives information from a seller including a geographic location of said one or more goods, a desired sale price of said one or more goods, and description of said one or more goods and that obtains from said description of said one or more goods provided by said seller an expiration time associated with said one or more goods and a point of last delivery; a second portion that presents said desired sale price and said description of said one or more goods to a buyer; a third portion that receives a purchase request, a geographic location of said buyer, and credit card information from said buyer; a fourth portion that provides financial logistics including authorizing and charging a credit card of said buyer and providing funds to said seller; and a fifth portion that provides shipping logistics including arranging for shipping said one or more goods from said seller to said buyer; wherein available shipping options that permit said one or more goods to reach said buyer from the geographic location of said one or more goods prior to the expiration time are automatically provided to said buyer as a function of shipping logistics associated with said one or more goods determined from said expiration time associated with said one or more goods, said geographic location of said one or more goods received from said seller, said geographic location of said buyer received from said buyer, and said point of last delivery.

Applicants submit that neither Nakfoor nor Creasy teaches or suggests all of the features recited by amended independent claims 1 or 12. Consequently, even if Nakfoor and Creasy could be combined, which Applicants do not admit, such combination would not teach or suggest all of the features of amended independent claims 1 or 12. Further, there is no teaching, suggestion, or motivation to modify Nakfoor and/or Creasy to

include all the recited features of amended independent claims 1 or 12. Therefore, Applicants submit that Nakfoor and Creasy, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claims 1 or 12.

Furthermore, Applicants submit modifying Nakfoor with the teachings of Creasy would contrary to the explicit teachings and change the principle of operation of Nakfoor. For example, Nakfoor is directed exclusively towards an electronic ticketing system. In fact, the background of Nakfoor provides several disadvantages for the use of paper tickets. Applicants submit, therefore, that there is no teaching, suggestion, or motivation to combine the electronic ticketing system of Nakfoor with the package shipping system disclosed by Creasy. Without proper motivation to modify the references to arrive at the claimed invention, the rejection based on obviousness is improper.

For at least the reasons set forth above, Applicants submit that amended independent claims 1 and 12 are allowable and that dependent claims 2-11 and 13-24 are also allowable by virtue of their dependency from allowable claims, as well as on their own merits.

Claims 25-35

Independent claim 25 is directed to a computer-implemented method for providing logistics for a sale of goods without requiring interaction between a seller and a buyer. Among its other elements, amended independent claim 25 recites wherein said logistics are provided to said seller and said buyer via an automated system and wherein identities of said seller and said buyer are maintained confidential from one another.

Applicants submit that the Office Action does not properly address all of the features recited by amended independent claim 25 and that such features clearly distinguish over the teachings of Nakfoor and Creasy. Namely, there is no disclosure of logistics that are provided to said seller and said buyer via an automated system wherein identities of said seller and said buyer are maintained confidential from one another in either Nakfoor or Creasy.

Consequently, even if Nakfoor and Creasy could be combined, which Applicants do not admit, such combination would not teach or suggest all of the features of amended independent claims 25.

Further, there is no teaching, suggestion, or motivation to modify Nakfoor and/or Creasy to include all the recited features of amended independent claim 25. Therefore, Applicants submit that Nakfoor and Creasy, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claim 25. Applicants also submit that there is no teaching, suggestion, or motivation to combine the electronic ticketing system of Nakfoor with the package shipping system disclosed by Creasy.

For at least the reasons set forth above, Applicants submit that amended independent claim 25 is allowable and that dependent claims 26-35 are also allowable by virtue of their dependency from an allowable claim, as well as on their own merits.

Claims 36-43

Applicants submit that the features recited by amended independent claims 36 and 40 clearly distinguish over the teachings of Nakfoor and Creasy. For instance, there is clearly no teaching or suggestion in either Creasy or Nakfoor of providing at least one shipping option to a computer of a buyer for selection by said buyer, said at least one shipping option determined by said computer system based on an expiration time associated with said at least one event ticket, a geographic location of said at least one event ticket received from a computer of said seller, a geographic location of said buyer received from the computer of said buyer, and a point of last delivery.

Further, regarding amended independent claim 40, Nakfoor and Creasy fail to teach or suggest interactive web pages for season tickets anywhere within their disclosures.

Applicants submit that neither Nakfoor nor Creasy teaches or suggests all of the features recited by amended independent claims 36 or 40. Consequently, even if Nakfoor and Creasy could be combined, which Applicants do not admit, such combination would not teach or suggest all of the features of amended independent claims 36 or 40. Further, there is no teaching, suggestion, or motivation to modify Nakfoor and/or Creasy to

include all the recited features of amended independent claims 36 or 40. Therefore, Applicants submit that Nakfoor and Creasy, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claims 36 or 40.

Applicants also submit that there is no teaching, suggestion, or motivation to combine the electronic ticketing system of Nakfoor with the package shipping system disclosed by Creasy. Namely, Nakfoor is directed exclusively towards an electronic ticketing system and does not disclose arranging for a courier to receive said at least one event ticket from said seller and deliver said at least one event ticket to said buyer, according to said selected shipping option. Creasy also does not teach or suggest delivering tickets using a courier.

For at least the reasons set forth above, Applicants submit that amended independent claims 36 and 40 are allowable and that dependent claims 37-39 and 41-43 are also allowable by virtue of their dependency from an allowable claim, as well as on their own merits.

Conclusion

For at least the reasons set forth above, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 1-43 and a timely Notice of Allowance to this effect.

Applicants do not otherwise concede, however, the correctness of the Office Action with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17.

Respectfully submitted,

/Robert V. Racunas/

Robert V. Racunas, Reg. No. 43,027
Under 37 CFR 1.34(a)

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RACUNAS LAW LLC
C/O INTELLEVATE
P.O. BOX 52050
MINNEAPOLIS, MN 55402
(724) 941-4804